



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116
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Minutes
April 8, 2014
APPROVED

Present:

BM: Brian Martin **PM:** Pat Mical **JK:** Jeff Kablik **LG:** Lucy Gertz **JE:** Jerry Earl
MM: Matt Marro

Absent:

LB: Linda Bown **ES:** Ed Smith

Attachments:

1. Agenda
2. 400 Business Park Dr. Pictometry Photo
3. 400 Business Park Dr. Site Plan – 3/28/14
4. Fuss & O'Neill Site Plan Comments – 3/31/14
5. 290 Massapoag Rd. Notice of Intent Application & Plan – 3/24/14
6. 290 Massapoag Rd. Pictometry Photo
7. 81 Willowdale Rd. Director's Determination Site Visit Report – 3/20/14
8. 10 Upton Dr. Director's Determination Site Visit Report – 4/3/14

7:00pm BM opened meeting

7:02pm **400 Business Park Dr. (M12, P5, L2) – Stormwater Management Permit** application for the installation of a stormwater pollution prevention system relative to the proposed construction of an 11,335 s.f. industrial building.

JE: Motion to waive the reading of the abutters list and legal notice.

JK: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Engineer Dan Delany appeared before the Commission for the applicant. The existing building was approved in 2006 and had included an addition and a parking lot expansion. 22 new parking spaces are proposed which will increase the impervious service by approximately 1.44 acres of the 5.32 acre site. Mr. Delany went on to say that six infiltration units will be added to deal with the stormwater which will drain into the existing detention basin on site. Finally, Mr. Delany said that this project has already received ZBA and Planning Board approvals.

MM reported that this project is not considered a re-development, but a phased new development. This distinction allows the stormwater calculations from the original 2006 approvals to be utilized in this application.

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Upon review of the calculations, MM ascertained that they are accurate for the proposed development. There were no abutters present to speak for or against this project.

JE: Motion to close the public portion of the hearing

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Stormwater Permit for 400 Business Park Dr. for the plans dated 3/28/2014.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:15pm **290 Massapoag Rd. (M2, P39, L0) – Request for a Notice of Intent, DEP# 309-0872** for the proposed demolition of an existing dwelling and the construction of a 4,470s.f. single family home, with a garage, and new driveway.

JE: Motion to waive the reading of the abutters list and legal notice.

JK: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Engineer Brian Milisci appeared before the Commission for the applicant. Mr. Milisci explained that the owner intends to partially demolish the existing home and use the existing foundation to expand the home. There will be no structures in the 50' "No Build" zone, and the existing retaining wall will not be excavated, just repaired. In addition, there is no work proposed in the Flood Plain, therefore, Planning Board approval is not required. Mr. Milisci went on to note that there will be some trees removed and stumped, but nothing will be done in the 30' "No Touch" zone.

MM reported that the plans look very good and meet all requirements. The Commission requested that any debris be completely removed from the site and not stockpiled. There were no abutters present to speak for or against this project.

JE: Motion to close the public portion of the hearing

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Standard Order of Conditions for 290 Massapoag Rd. per plan dated 3/24/14.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Director's Determinations

81 Willowdale Rd. – Replace existing deck on same footprint

MM reported that this work is just on the outer edge of the buffer zone and will have no impact on the buffer zone as it will be built on the same footprint with no new footings being dug.

JK: Motion to approve the Director's Determination at 81 Willowdale Rd. for the replacement of an existing deck on the same footprint

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

10 Upton Dr. – Remove 7 trees within buffer zone.

MM reported that the trees are dying and/or bug infested and diseased.

JK: Motion to approve the Director's Determination for 10 Upton Dr. for the removal of 7 trees.

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Reports/Discussion:

- **Sherburne Nature Center/Trails Committee Update** – Earth Day is scheduled for Saturday April 19, 2014

Administrative:

1. Minutes:

LG: Motion to approve the minutes for March 11, 2014 as written.

PM: 2nd the motion

In Favor: 4 Opposed: 0 Abstain: 1 Absent: 2

Passes: 4-0-1-2

2. New Business:

- **Park Bench:** PM reported that he saw a park bench and a hockey net on the ice across from Sherburne Lumber. Since the weather is starting to warm up, these items are in danger of sinking in the lake. MM said that he would talk with Highway Dept. and the homeowner to see if they can do something.
- **Long Pond Algae:** MM had a sample of water tested which yielded normal results for coliform bacteria, ecoli, nitrogen series, phosphates, and surfactants. He went on to say that these results indicate that there is no sewage leak. However, there is something going on and further investigation concerning the groundwater, and water lines is required.

8:10pm

JK: Motion to adjourn

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant